

| No | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS   |
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|    |      |  | <p>I.A. No.2 of 2024 (Short Term Bail Application)<br/>In<br/>CRLA No.75 of 2024<br/><b><u>Hon'ble Manoj Kumar Tiwari, J.</u></b><br/><b><u>Hon'ble Pankaj Purohit, J.</u></b></p> <p>Mr. S.R.S. Gill, Advocate for the appellants.<br/>Mr. J.S. Virk, Deputy Advocate General with Mr. Rakesh Kumar Joshi, Brief Holder for the State of Uttarakhand.</p> <p>2. Appellants No.-1 (applicant) is undergoing sentence consequent to his conviction for the offence punishable under Section 302 &amp; 201 of I.P.C. He has sought short term bail on the ground that his father has passed away on 11.06.2024, however, due to his continued incarceration, <i>Bhog/Rasam Pagdi</i> and certain other ceremonies could not be held so far. Thus, prayer has been made to grant short term bail to the applicant for two weeks.</p> <p>3. It is contended by Mr. Gill, learned counsel that applicant is the eldest son in the family and his presence is necessary for <i>Bhog</i> and <i>Rasam Pagdi</i>; since he was not granted bail earlier, therefore, these two ceremonies could not be performed. He submits that applicant has no criminal history.</p> <p>4. Learned State Counsel was asked to get instructions in the matter. Today, learned State Counsel, on instructions, concedes that applicant's father died on 11.06.2024, however, he submits that he</p> |

has no instructions as to whether *Bhog* and *Rasam Pagdi* ceremonies were performed so far or not.

5. Having regard to the fact that applicant is in jail continuously for last four years and has not been released on short term bail even for once and his presence would be necessary for *Bhog* and *Rasam Pagdi*, which is to be performed on account of death of his father, we are inclined to grant short term bail for a period of fifteen days to appellant no.1.

6. Accordingly, Short Term Bail Application is allowed. Let the appellant no.1/applicant be enlarged on short term bail only for a period of fifteen days from the date of his release, on his executing personal bond with two reliable sureties, each of the like amount, to the satisfaction of the Court concerned.

7. Needless to say that immediately after expiry of fifteen days, the applicant/appellant no.1 shall surrender before the Superintendent of the Jail concerned.

8. List in due course.

9. Let a certified copy of this order be issued today itself.

**(Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.)**

20.08.2024

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